

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

GO GLOBAL RETAIL LLC,

Plaintiff,

-against-

DREAM ON ME INDUSTRIES, INC.,
and DREAM ON ME, INC.

Defendants.

1:23-cv-07987 (AS)

**AFFIDAVIT OF KATHLEEN
LAUSTER**

I, KATHLEEN LAUSTER, being duly sworn, hereby depose and state as follows:

1. I have personal knowledge concerning the facts alleged herein.
2. I submit this affidavit in support of Go Global Retail LLC's ("Go Global") Opposition to Dream on Me Industries, Inc. and Dream on Me, Inc.'s ("DOM" or "Defendants") Motion for Summary Judgment in the above captioned matter.
3. I am a Senior Managing Director with Ankura Capital Advisors, LLC ("Ankura").
4. Go Global retained Ankura in or around May 2023 to assist Go Global in raising debt and/or equity financing and to provide assistance to Go Global in acquiring Buy Buy Baby's Bankruptcy Assets ("Baby" or "Baby Bankruptcy Assets").
5. I was the senior Ankura team member assisting Go Global in relation to Go Global's acquisition of Baby's Bankruptcy Assets.
6. Among other things, Ankura administered a data room on behalf of Go Global ("Go Global Data Room").

7. The Go Global Data Room contained documents regarding Go Global's bid for Baby's Bankruptcy Assets, including proprietary trade secret information that Go Global developed.

8. Like Go Global, Lazard maintained a data room ("Lazard Data Room"), which contained information concerning Baby's historical financial performance, and other documents relevant to a potential bid for Baby's Bankruptcy Auction.

9. Ankura also served as the point of contact between Go Global and Lazard Freres & Co. LLC ("Lazard"), the banker in charge of running Baby's Bankruptcy Auction.

10. I thus have personal knowledge of the communications and documents Go Global exchanged with Lazard, as well as the documents stored in both the Go Global Data Room and the Lazard Data Room.

11. It is my understanding that Defendants in the above captioned action assert that a document titled "Acquisition and Turnaround Strategy" was created by Go Global, placed in the Lazard Data Room, and was thus available to all bidders who were structuring a potential bid for Baby's Bankruptcy Assets. *See* ECF 61-2 at 16; ECF 61-45 (Defendants' Exhibit AO).

12. I understand that the document titled "Acquisition and Turnaround Strategy" is the same as the document titled "Go Global Model and Investor Presentation." *See* ECF 61-17 at 7 (file path: Project Bathwater/1.1 Buy Buy Baby/1.1.6 Go Global Model and Investor Presentation).

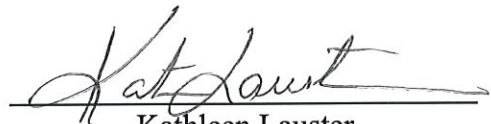
13. Based upon my personal knowledge, and my review of the Lazard Data Room, there is no version of the document titled "Go Global Model and Investor Presentation" that was ever located or stored in the Lazard Data Room.

14. The document titled "Go Global Model and Investor Presentation" was, however, stored in the Go Global Data Room. *See* ECF 61-17 at 4, 7.

15. I understand Defendants downloaded the "Go Global Model and Investor Presentation" from the Go Global Data Room on June 10 and June 14, 2023. ECF 61-17 at 4, 7 (file path: Project Bathwater/1.1 Buy Buy Baby/1.1.6 Go Global Model and Investor Presentation).

16. I declare under penalty of perjury that the foregoing is true and correct.

Dated: Rockville Centre, New York
January 9, 2025


Kathleen Lauster

State of

South Carolina

County of

Charleston

Sworn to and subscribed

before me this

9th day of Jan, 2025

Carol Coulter

